

claimed to be due on account thereof, shall be submitted to the Secretary by the State agency.

[40 FR 47509, Oct. 9, 1975, as amended at 44 FR 31581, May 31, 1979; 49 FR 30074, July 26, 1984]

#### **§ 81.9 Assurances.**

The State must assure and certify that it will comply with all applicable Federal laws, regulations, and requirements as they relate to the application, acceptance, and use of Federal funds for projects under the Act in accordance with Office of Management and Budget Circular A-102.

[40 FR 47509, Oct. 9, 1975, as amended at 44 FR 31581, May 31, 1979]

#### **§ 81.10 Submission of documents.**

Papers and documents required by the Act or by regulations in this part shall be deemed submitted to the Secretary from the date of receipt by the Director of the U.S. Fish and Wildlife Service.

#### **§ 81.11 Divergent opinions over project merits.**

Any difference of opinion about the substantiality of a proposed project or appraised value of land to be acquired are considered by qualified representatives of the Secretary and the State. Final determination in the event of continued disagreement rests with the Secretary.

#### **§ 81.12 Contracts.**

The State may use its own regulations in obtaining services providing that they adhere to Federal laws and the requirements provided by Office of Management and Budget Circular A-102. The State is the responsible authority without recourse to the Secretary regarding settlement of contractual issues.

[40 FR 47509, Oct. 9, 1975, as amended at 44 FR 31581, May 31, 1979]

#### **§ 81.13 Inspection.**

Supervision of each project by the State shall include adequate and continuous inspection. The project will be subject to periodic Federal inspection.

#### **§ 81.14 Comprehensive plan alternative.**

In the event that the State elects to operate under a comprehensive fish and wildlife resource planning system, the Cooperative Agreement will be an attachment to the plan. No Application for Federal Assistance will be required since the documentation will be incorporated in the plan. However, the continued existence of the comprehensive plan, and Federal financing thereunder, will be contingent upon the continued existence of the Cooperative Agreement described in § 81.3, above.

#### **§ 81.15 Audits.**

The State is required to conduct an audit at least every two years in accordance with the provisions of Attachment P of OMB Circular A-102. Failure to conduct audits as required may result in withholding of grant payments or such other sanctions as the Secretary may deem appropriate.

[49 FR 30074, July 26, 1984]

## **PART 82—ADMINISTRATIVE PROCEDURES FOR GRANTS-IN-AID (MARINE MAMMAL PROTECTION ACT OF 1972)**

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### **Subpart B—Application for Grants**

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